

## **HAZARDOUS WASTE MANAGEMENT**

### **I. Program Description**

#### **A. Program Statement**

The Hazardous Waste Management Program (Program) regulates businesses that generate, transport, store, treat, recycle, or dispose of hazardous waste and liquid industrial waste in Michigan. Under the Hazardous Materials Transportation Act, 1998 PA 138, the Program provides for the permitting and registration of hazardous waste and liquid industrial waste transporters in Michigan.

#### **B. Major Objectives to Be Achieved**

The Program protects human health and the environment in Michigan by preventing chemical releases through the proper handling, tracking, transportation, storage, treatment, and disposal of hazardous waste and liquid industrial waste. The Program also oversees the compliance, cleanup, and closure of sites operated as hazardous waste treatment, storage, and disposal facilities (TSDFs) as well as generators. The cleanup work provides the opportunity for safe and economic redevelopment of these properties.

#### **C. Population Served**

The Program ensures the safety of Michigan citizens by regulating the cradle-to-grave management of hazardous and liquid industrial waste.

#### **D. Types of Services/Activities Provided**

1. Processing of approximately 150,000 hazardous waste manifest copies annually for the tracking of hazardous waste from generation to disposal. Additionally, approximately 350,000 liquid industrial waste manifest copies are received.
2. Reviewing operating license applications and making recommendations for the approval or denial of operating licenses for TSDFs.
3. Issuance of emergency TSDF operating licenses for urgent situations.
4. Performing annual TSDF financial assurance reviews to adjust for changing site conditions.
5. Reviewing plans for permanent closure and cleanup of regulated hazardous waste TSDFs.
6. Conducting public meetings and receiving written documentation as part of the TSDF license review.
7. Performing inspections and sampling at TSDFs, hazardous and liquid industrial waste generators and transporters to ensure facilities are in compliance with requirements.
8. Preparing biennial reports for TSDFs and large quantity hazardous waste generators using manifest data and site identification information.
9. Preparing invoices and collecting user charges.
10. Reviewing and developing waste determinations; reviewing delisting petitions; processing land disposal restriction variance petitions and recycling variances; and providing the public and regulated community with interpretations concerning requirements for waste recycling, reuse, and proper management requirements.
11. Supporting and encouraging waste minimization efforts.
12. Managing the cleanup of 120 high-priority hazardous waste TSDFs by meeting the cleanup schedules set by Congress in the Government Performance and Results Act of 1963 (GPRA).

13. Negotiating administrative resolution of high-priority violations to achieve compliance. Initiating and supporting escalated civil and criminal enforcement actions.

**E. Other Departments and Agencies That Interact With the Program**

1. U.S. Environmental Protection Agency
2. Michigan Department of Community Health
3. Michigan Department of State Police, Motor Carrier Division, Hazardous Materials Unit
4. Alliance for Uniform HAZMAT Transportation Procedures – Michigan is a member state along with Ohio, Nevada, West Virginia, and Oklahoma.
5. Michigan Department of Attorney General
6. County, municipal, and local governments as needed.

**F. Consequence of No Services/Activities**

Inability or failure to perform activities conducted under this Program would result in improper handling, transportation, and disposal of hazardous and liquid industrial waste and delays in cleaning up contaminated sites. This could result in releases of hazardous materials to soil, air, and water; creation of new sites of environmental contamination; and continuation of existing sites of environmental contamination. Many sites that have corrective action responsibilities rely on timely reviews and approvals so they can meet compliance schedules and get relief from financial assurance costs. Michigan is the lead agency for approximately 80 percent of these high-priority corrective action sites. Each of these would have significant negative impacts on human health and the environment if no services were provided.

**II. SOURCES OF FINANCING**

1. Federal
  - Hazardous Waste Management Grant
2. Restricted
  - Environmental Pollution Prevention Fund
  - Hazardous Materials Transportation Permit Fund

The program is completely removed from general fund support.

**III. LEGAL BASIS**

**A. State Legal Basis**

Hazardous waste is regulated under the authority of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, specifically, Part 111 Hazardous Waste Management; Part 121, Liquid Industrial Waste; Part 167, Used Oil Recycling; and Part 171, Battery Disposal. The transportation of hazardous materials is regulated by the Hazardous Materials Transportation Act, 1998 PA 138.

**B. Federal Legal Basis**

Hazardous waste and used oil are regulated under the authority of the federal Resource Conservation and Recovery Act and the Hazardous and Solid Waste Amendments of 1984.

**C. Administrative Rules**

Part 111 Rules

Title 40 of the Code of Federal Regulations, Parts 260-279.